



LND-6.00-5 mile zone

United States Department of the Interior

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In Reply Refer to:

AESO/SE

02-21-01-I-0400

September 19, 2003

Memorandum

To: Area Manager, Yuma Area Office, Bureau of Reclamation, Yuma, Arizona

From: ^{ACTING} Field Supervisor

Subject: Draft Resource Management Plan and Environmental Assessment (RMP/EA) for the 5-Mile Zone Study Area (Protective and Regulatory Pumping Unit), Yuma County, Arizona

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Thank you for your memorandum of August 25, 2003 transmitting to us the subject draft Resource Management Plan and Environmental Assessment (RMP/EA) document for our review. We previously responded to your July 24, 2001 request for a list of threatened and endangered species under the Endangered Species Act of 1973, as amended, with a memorandum dated August 17, 2001 (consultation number 02-21-01-I-0400). Species on that list were evaluated in the draft RMP/EA. We have the following comments for your consideration in finalizing the draft document.

General Comments

A significant focus for the RMP/EA is the conservation of the flat-tailed horned lizard (*Phrynosoma mcallii*) within the Yuma Desert Management Area of the 5-Mile Zone. Unfortunately, the RMP/EA uses the 1997 version of the management strategy, not the 2003 version (May 2003). As there are differences in some of the particular management actions or direction between the 1997 and 2003 versions, please use the 2003 version to plan for the management of the 5-Mile Zone. While it is assumed the management strategy is included in all alternatives (language on page IV-2), this does not appear to be carried through for all alternatives. If the 2003 management strategy, in its entirety, is not part of all alternatives, the RMP/EA should reflect this under the relevant alternatives. At the least, the preferred alternative, Alternative D, should include full implementation of the 2003 management strategy. There are several areas of the document that will need to be updated to incorporate the 2003 management strategy for this RMP/EA. We will identify several of these areas in our specific comments on the text.

The initial Chapters (I-III) describe in detail the background of legal and regulatory needs for the 5-Mile Zone, the existing responsibilities of other agencies and groups in the management of the Zone, and identify the issue categories for later analysis. However, a comprehensive description of the current biological status and conditions within the Zone study area is not included. This

information is provided in separate discussions in Chapter V (Affected Environment and Environmental Consequences) and is never pulled together into one descriptive package to set the stage for the analysis. We suggest that a description of the Zone that would include, as a minimum, existing land use, vegetation mapping, and land ownership mapping with supporting text be provided in Chapter 1. The current text in Chapter 1 (pages I-5 through I-7) does not provide the level of detail for a reviewer to understand the area sufficiently to appreciate the materials in the subsequent chapters. Much of the legal and regulatory material in the initial chapters may be best included as an appendix, not as introductory material.

We suggest that map I-2 clearly delineate the boundaries of the entire Zone, not just the study area for this document. The map should show the boundaries of the Yuma Desert Management Area, and clearly differentiate between the “western” portion of the Zone which is not included in the Management Area. Since there are many references in the document to other agencies’ interests in the Zone, it would be helpful to have a better reference point.

We suggest that additional information be provided on the 160,000 acre-feet (af) of groundwater that is part of the compliance under Minute 242, specifically, how much of the 140,000 af set aside for delivery to Mexico is, or is not, available for commitment to other users. Text in the document state that the full 140,000 af is not delivered yearly; in most years, considerably less is provided. Of the remaining 20,000 af available under the cap, the Hillander “C” Irrigation District uses approximately 16,000 af and the state prison uses 400 af. This leaves 3,600 af per year available for new development within the Zone if none of the 140,000 af can be committed to non-Mexico uses. Please explain more fully the “reserved” nature of the 140,000 af and the amount of flexibility you have in using some of that water for other purposes when it is not needed for delivery to Mexico at this time. It is difficult to analyze the effects to groundwater of the different alternatives without a sense of how available this water is for development in the future.

There should be some discussion of the mitigation for proposed development projects that are included as common to all alternatives, particularly those where their implementation would be at odds with a particular alternative or with the flat-tailed horned lizard management strategy. These projects may not all be compatible, and including them without a discussion of their effects weakens the document and the intent of the resource management plan. The assumption that under the No Action Alternative the Bureau of Reclamation (USBR) would not, or does not have the authority to, enforce mitigation requirements of other agencies on lands it controls without the existence of a resource management plan is incorrect. The Federal laws, regulations, and policies that govern USBR responsibilities under the proposed action also operate under the current conditions. Please revise the analyses under the No Action Alternative to reflect this.

On map VI-1, a project in the northern portion of the Zone is pictured but is not described in the text as either part of one alternative or being common to all alternatives. This is the proposed 242 lateral. Please provide information on the relationship of this project to the RMP/EA.